

### **DETAILED ACTION**

Amendment filed after Final rejection filed on November 18, 2009 is acknowledged and entered. Terminal disclaimer filed on November 20, 2009 has been accepted and approved.

Claims 1-4, 6-7, 11, 14-19, 21-26, and 29-31 are pending in this application.

**Claims 1-4, 6-7, 11, 14-19, 21-26, and 29-31 are allowed.**

### **REASONS FOR ALLOWANCE**

1. The following is an examiner's statement of reasons for allowance: The Pingel reference (US Patent No. 6,903,069) utilized in the 103(a) rejection is a 102(e) date reference. Applicant indicated that the present application and Pingel were, at the same time the invention of the present Application was made, owned by Novo Nordisk. Therefore, the Pingel reference is disqualified as prior art. See MPEP 706.02(I)(2). Therefore, a liquid, aqueous composition comprising (i) a factor VII polypeptide; (ii) an agent suitable for keeping pH in the range of from about 5.5 to about 7.0; (iii) a calcium salt in a concentration of at least 200 mM is both novel and unobvious over the prior art of record. Support for amendment to claim 31 can be found at paragraph [0048] of instant specification 2004/0037893 A1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 1654

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

**2. Claims 1-4, 6-7, 11, 14-19, 21-26, and 29-31 are allowed.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JULIE HA whose telephone number is (571)272-5982.

The examiner can normally be reached on Mon-Thurs, 5:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on 571-272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1654

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anish Gupta/  
Primary Examiner, Art Unit 1654

/Julie Ha/  
Examiner, Art Unit 1654